

VZCZCXYZ0004  
PP RUEHWEB

DE RUEHGB #0048/01 0081355  
ZNY CCCCC ZZH  
P 081355Z JAN 10  
FM AMEMBASSY BAGHDAD  
TO RUEHC/SECSTATE WASHDC PRIORITY 6042  
INFO RUCNRAQ/IRAQ COLLECTIVE  
RUCNDT/USMISSION USUN NEW YORK 0946

C O N F I D E N T I A L BAGHDAD 000048

SIPDIS

E.O. 12958: DECL: 01/06/2020  
TAGS: [KDEM](#) [PGOV](#) [IZ](#)  
SUBJECT: ELECTION COMMISSION REVIEWS PREPARATIONS AHEAD OF  
MARCH ELECTIONS

REF: A. BAGHDAD 3310  
    [I](#)B. BAGHDAD 3323

Classified By: Political Minister-Counselor Gary A. Grappo for reasons  
1.4(b) and (d).

Summary

[¶](#)1. (C) IHEC Commissioner Judge Kasim al-Abodi confirmed to  
poloffs December 30 that the Independent High Electoral  
Commission (IHEC) registered 6,529 candidates for the 325  
Council of Representatives (COR) seats to be contested in the  
March parliamentary election. IHEC will continue the process  
of reviewing candidate qualifications against the  
requirements in the election law, including  
de-Baathification. However, the review procedures for  
de-Baathification remain unsettled because of the COR's  
inability to agree on the mechanism. Judge Kasim pointed to  
challenges ahead for Special Needs Voting (for the military  
and others) and for Out of Country Voting. He predicted low  
turnout for OCV because of what he described as a lack of  
interest by Iraqis abroad. Judge Kasim also expressed  
concern about the security of IHEC personnel and facilities.  
End Summary.

Judge Kasim Reviews Preparations

[¶](#)2. (C) IHEC Commissioner Judge Kasim al-Abodi confirmed to  
poloffs December 30 that IHEC registered 6,529 candidates for  
the 325 Council of Representatives (COR) seats to be  
contested in the March parliamentary election. IHEC will  
continue the process of reviewing candidate qualifications  
against the requirements in the election law, including  
de-Baathification, education and criminal checks. Judge  
Kasim said there had been some question about which  
commissions would conduct de-Baathification in advance of the  
March parliamentary election. The de-Baathification  
Committee established in 2005 reviewed candidates ahead of  
the January 2009 provincial elections. Its work was supposed  
to have been superseded by the COR Accountability and Justice  
Commission, created by the 2008 law with the same name.  
However, in November 2009 the COR rejected all proposed  
members for the commission and it is not certain that the COR  
will agree on a commission before upcoming elections. Judge  
Kasim told poloffs that the split regarding which entity  
should complete the de-Baathification review reflected the  
split in the Shia factions. (Note: We will report septel on  
the recent uptick in media reports about de-Baathification  
controversies, including unconfirmed reports that Sunni COR  
member Saleh al-Mutlaq has been preliminarily banned from  
running for re-election. End Note.) He then explained that  
a third entity, the independent Committee on Integrity, also  
plans to review election candidates, though the Commission is  
not legally mandated to do so.

[¶](#)3. (C) On Special Needs Voting (SNV), Judge Kasim warned

that neither the Ministry of Defense nor the Ministry of the Interior had been able to produce a complete list of voter names that IHEC could use to produce a SNV voter list for the special elections planned for March 4. (Note: SNV is planned to allow members of the Iraqi Security Forces to vote three days before the general election so that they can focus on securing the polling sites March 7. Good data is needed to prevent double-voting for both SNV and the general election. End Note) Judge Kasim speculated that political motives may lie behind MOD and MOI's failure to produce lists of registered voters on their respective staffs. (Comment: We suspect it is more a matter of bureaucratic inattention. End Comment)

¶4. (C) Looking ahead to IHEC's capacity to review complaints after the election, Judge Kasim expressed confidence in IHEC's ability to complete the process quickly. He described the complaints process, describing a three stage process:  
-- First, IHEC will receive and review complaints. It will issue administrative rulings on each complaint, and publish the results in the newspaper.

-- IHEC's decisions may then be appealed for judicial review by the Electoral Judicial Panel (EJP). According to IHEC regulations, the decision of the Electoral Judicial Panel is final and cannot be appealed.

-- The final results of the general election for membership in the COR will then be ratified by the Federal Supreme Court, per Article 93 of the Constitution.

He added that the three judges on the Electoral Judicial Panel (EJP) would be able to review IHEC's decisions faster than they did in 2009 because they now have experience with the process.

#### Out of Country Voting

---

¶5. (C) Judge Kasim reported that by December 30, IHEC had received notification from four countries accepting IHEC's request to conduct its parliamentary election abroad. Judge Kasim said that Jordan, Sweden, Turkey, and Austria have already confirmed that they will permit Iraq to administer out of country voting in March. Poloffs confirmed to Judge Kasim that the United States would also welcome Iraq's OCV efforts in the United States, and told him we are in the process of exchanging diplomatic notes via the Ministry of Foreign Affairs. Judge Kasim thanked poloffs for the message, and added that the MFA had not yet informed IHEC of the U.S. notification that an exchange of diplomatic notes was preferred to an MOU (Ref A).

¶6. (C) In terms of OCV, Judge Kasim explained that IHEC was still planning its operations and final plans had not been set. He disclosed to poloffs that, in his opinion, people outside of Iraq will not be interested in voting in March. Judge Kasim predicted a low turnout for OCV, and he expressed disappointment that the COR had not taken IHEC's advice to "give up" on OCV when it passed the 2009 amendments to the election law. Now, Judge Kasim said, IHEC was working to identify the documents that will be used to confirm an out-of-country voter's governorate, in compliance with the new law. Judge Kasim explained that unlike in 2005, OCV ballots March 7 would be counted toward the governorate where the voter can show residence. He also told poloffs that many of IHEC's staff members would now be diverted from their roles in Baghdad and sent to work on OCV at the headquarters in Erbil, and in the 16 countries where IHEC hopes to hold OCV. Judge Kasim explained that OCV was impacting staffing at IHEC, and the Commission did not yet have a clear plan for where employees or commissioners would be assigned for the election preparations.

#### Security

---

¶7. (C) Judge Kasim told poloffs that IHEC needs help protecting its staff and its building. He is worried that terrorists will target IHEC as the election date nears, and conveyed that many of IHEC's 2,000 employees are anxious as well. He quickly reviewed recent security incidents in which one IHEC mid-level employee was killed and two others were involved in abductions (Note: It now appears that the abductions were unrelated to the employee's position at IHEC; the murder remains unresolved. End Note.) Judge Kasim said IHEC staff are disappointed that the COR failed to make provisions for them to become permanent members of Iraq's civil service (Ref B), which would provide greater financial security for IHEC family members. He noted to poloffs that he had personally advocated for civil service status for IHEC employees for over two years.

IHEC Hosts Political Parties

---

¶8. (U) In a separate development, IHEC hosted political parties at a December 21 symposium that quietly marked the beginning of the pre-campaign season and IHEC's commitment to administering successful elections in March 2010. IHEC personnel told poloff that the symposium had been organized in less than a week, with IHEC placing calls to invite roughly 270 political entities. Poloffs observed approximately 60-70 representatives from political entities at the event, as well as 15-20 reporters from Iraqi television outlets and newspapers. On December 24-25, IHEC conducted the Ballot Lottery for each of the political parties and coalitions certified by IHEC (86 in total). During the event, representatives from each party drew a number from a drum to determine the order in which political parties will be listed on the ballot.

Comment

---

¶9. (C) After two major elections in 2009, IHEC shows more confidence in asserting itself as Iraq's election authority, and commissioners show a serious commitment to IHEC's obligation to educate parties and the public about the electoral process. While poloffs and USAID technical assistance implementers observe that IHEC personnel continue to overestimate the institution's capabilities, there is no question that IHEC leadership wants to demonstrate its ability to administer a credible, fair election in March.

IHEC's confidence aside, we are confident that UNAMI and IFES are providing critical and necessary support and expertise on a daily basis to ensure that IHEC succeed in its overall election effort. The biggest question at this point is the OCV effort, which is getting off to a slow start and seems to be in need of streamlining. End Comment.

HILL